

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23000 of 1995

Dated:28.11.2006

Between:

Ballingam.

...Petitioner

and

The Special Officer and Commissioner and others.

...Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.23000 of 1995

ORDER:

The petitioner is statedly a wholesale vegetable merchant in Hismath Gunj, popularly known as Monda Market in Secunderabad. When the third respondent tried to encroach upon the area/shop in Plot No.1 allotted to the petitioner, he filed a suit, being O.S.No.1135 of 1992, on the file of the Court of the I Assistant Judge, City Civil Court, Secunderabad, and obtained *ad interim* injunction. It is alleged that even though the injunction is operating against her, the third respondent approached respondents 1 and 2 who are now threatening to dispossess the petitioner duly evicting him. Therefore, the present Writ Petition is filed.

This Court while admitting the Writ Petition on 13.10.1995 granted interim injunction. Though the notices are served, no counter affidavit is filed denying the petition averments. Therefore, the Writ Petition is disposed of observing that if for any reason the petitioner has to be evicted from Plot No.1 in Hismath Gunj, respondents 1 and 2 should necessarily follow due process of law. No costs.

28.11.2006
vs

(V.V.S.RAO, J)